

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CHONG and MARILYN YIM, KELLY
LYLES, EILEEN, LLC, and RENTAL
HOUSING ASSOCIATION OF
WASHINGTON,

Plaintiffs,

v.

THE CITY OF SEATTLE, a Washington
municipal corporation,

Defendant.

Civil Action No. 2:18-cv-00736-BJR

AMENDED JUDGMENT

THIS MATTER came before the Court on cross-motions for summary judgment. Dkt. #s 23 and 33. This Court initially granted Defendant City of Seattle's cross-motion and denied the cross-motion filed by Plaintiffs Yim, et al. Dkt. # 88. On appeal, the U.S. Court of Appeals for the Ninth Circuit reversed as to Count I (violation of the First Amendment) and remanded to this Court for a severability determination. Dkt. # 97. This Court ruled that the unconstitutional provision is severable. Dkt. # 124.

IT IS ORDERED AND ADJUDGED that judgment is entered as follows:

1. The Defendant's cross-motion for summary judgment is DENIED, and Plaintiffs' cross-motion for summary judgment is GRANTED on Count I (violation of the First

Amendment). The Court declares the inquiry provision of the “Fair Chance Housing Ordinance,” Ch. 14.09 Seattle Municipal Code, unconstitutional. Judgment is hereby entered in Plaintiffs’ favor on Count I.

2. The Plaintiffs’ cross-motion for summary judgment is DENIED, and Defendant’s cross-motion for summary judgment is GRANTED on Count II (Substantive Due Process). Judgment is hereby entered in Defendant’s favor on Count II.

3. Each party will bear its own costs.

DATED this 17th day of September 2024.



UNITED STATES DISTRICT JUDGE

PRESENTED BY:

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